

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2022/62/93128/W
Site Address:	2, Bayfield Close, Hade Edge, Holmfirth, HD9 2QX
Description:	Alterations to convert part of garage to extend living accommodation and erection of single storey rear extension to replace glazed conservatory
Recommending Officer:	Lucy Taylor

DECISION – Conditional Full Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Teresa Harlow

AUTHORISED OFFICER

Date: 24-Nov-2022

Officer Report.

Reference: 2022/93128

Location: 2, Bayfield Close, Hade Edge, Holmfirth, HD9 2QX

Proposal: Alterations to convert part of garage to extend living accommodation and erection of single storey rear extension to replace glazed conservatory

Site Description.

2 Bayfield Close is a two-storey end of terrace property located in Hade Edge, Holmfirth. The property is faced in natural stone, with a gable roofing form infilled with concrete tiles. The property benefits from several previous extensions, including a conservatory to the rear and extension to the attached garage. The road side elevation of the garage appears to be faced in vertical timber boarding. Within the wider curtilage, 2 Bayfield Close benefits from outdoor amenity space to the rear elevation.

Within the wider streetscene of Bayfield Close, there is a strong sense of similarity established. This is because all of the properties share a very similar style of design and construction, part of the same residential development scheme. A predominant feature of similarity is the use of matching exterior materials, including stone and concrete tiles.

Vehicular access to the property is via a shared courtyard off Bayfield Close. Access is gained from an arched opening, which has habitable accommodation above. The courtyard gives access to a number of dwellings, including the access to 2 Bayfield Close and, as shown on the plans, two parking spaces.

Description of Proposal.

Planning permission is sought for alterations to convert part of the garage to living accommodation and for the erection of a single storey rear extension to replace the glazed conservatory.

The alterations to convert part of the garage into living accommodation propose only minimal external alterations to the existing garage structure, in the form of fenestration detailing and new insulated render to the side elevation. The existing garage door will be retained to the front elevation, with the front of the structure to continue serving as a 'garage'. Towards the rear of the structure, the garage will be converted to provide a bedroom and wet room. The conversion of the rear of the garage proposes the erection of two roof lights within the existing hipped roof structure and a new window opening to the rear elevation. The new window opening will have a cut stone head and cill and will be framed in UPVC to match the existing forms of fenestration to the host property. There is no detail regarding the colour of the insulated render.

The conservatory will be demolished to facilitate the erection of the proposed rear extension. The proposed rear extension will adjoin with the attached garage structure to the rear, of the same height (4 metres) and projection (2.5 metres). The width of the rear extension will be 2.65 metres. The roof of the extension will be hipped and will form a continuation of the existing hipped roof above the attached garage structure, infilled with matching concrete tiles.

The rear extension proposed glazed bi-fold doors to the rear and a window to the eastern side elevation. Both these forms of fenestration will be framed in UPVC, with cut stone detailing to the threshold, cill and head.

History of Negotiations.

Following receipt of the formal consultation response from KC Highways Development Management, the case officer sought the submission of an existing and proposed layout plan from the applicant, to demonstrate the number and location of parking spaces on site.

The applicant successfully submitted both an existing layout plan (Dwg No: 101) and a proposed layout plan (Dwg No: 102). The drawings demonstrated that a minimum of two car parking spaces would be available for the property following the proposed developments. Alongside the submission of these drawings, the applicant also sent a set of written mitigating circumstances.

KC Highways Development Management were informally re-consulted following the submission of these drawings, concluding that, although the property would be one space short of the guidelines for car parking, the proposals are acceptable to Highways Development Management.

Relevant Planning History.

- **95/93426** – Erection of conservatory. *Refused.*
- **97/92279** – Erection of garage extension. *Granted Conditional Full Permission.*
- **2002/90719** – Erection of conservatory. *Granted Conditional Full Permission.*

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired on 10 November 2022 – no representations were received.

The additional plans were not re-publicised as these were only required for the sake of clarity and did not fundamentally alter the development applied for.

Consultation Responses.

KC Highways Development Management – Following the submission of existing and proposed site layout plans, KC Highways Development Management consider the proposals to be acceptable.

Holme Valley Parish Council - Object on the basis of insufficient parking provisions.

Policy/Legislation.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The application site is not specifically Allocated within the Kirklees Local Plan; however, the site falls within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity. In accordance with the standing advice of the Coal Authority, an informative note would be attached to any decision notice to alert developers to the likelihood of coal mining legacy affecting the site.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP51 – Protection and improvement of local air quality

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:

The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

Holme Valley Neighbourhood Development Plan:

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

The site falls within Local Characteristic Area 3 – Hade Edge Upland Pastures.

The policies from the Holme Valley Neighbourhood Development Plan that are relevant to this application are:

- Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 12 – Promoting Sustainability

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 1) Principle of Development
- 2) Impact on Visual Amenity

- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Other Matters
- 6) Representations
- 7) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

1) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal consideration concerning design which states: *“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 130 of the NPPF is of relevance, in particular the following parts:-
- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*

- 'c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- 'a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...'*
- 'c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...'*

Developments that are considered to conform appropriately with Local Plan Policy LP24 and the design requirements as set out above, are considered to also conform with Policy 2 of the Holme Valley Neighbourhood Development Plan – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

Policy 1 of the Holme Valley Neighbourhood Plan HVNDP sets out that development proposals should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case Local Characteristic Area 3 – Hade Edge Upland Pastures.

The key built characteristics of LCA3 are:

- Dispersed settlements characterised by their former domestic textile manufacturing, mill buildings and agricultural heritage along with isolated farmsteads set within an upland agricultural landscape.
- Hade Edge is the largest of the settlements containing some services and modern and older development and lies on a plateau at Dunford Road / Penistone Road.
- Former textile/woollen mills set within the valley of the River Ribble.
- Vernacular building materials include millstone grit in properties and boundary walls.

Policy 2 of the HVNDP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which adds to the quality or character of existing buildings in the locality and their setting.

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

The Council's House Extensions and Alterations SPD further states that single storey rear extensions should:

- be in keeping with the scale and style of the original house
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings)
- not exceed 4 metres in height
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terrace houses or by 4 metres for detached properties
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposed rear extension to 2 Bayfield Close is considered to appropriately comply with the key design criterion of the SPD as set out above.

It is first important to acknowledge that the proposed rear extension to 2 Bayfield Close will replace the existing rear conservatory. In turn, it can be concluded that built form and additional development has previously been established in the same position within the curtilage of the application site. Although the replacement rear extension will be of a solid form, built from stone, the structure is considered to be visually subservient.

Visual subservience will be predominantly a result of the matching appearance of the rear extension with both the host dwelling and the garage structure, including the use of matching exterior materials and in-keeping forms of fenestration detailing. Furthermore, the hipped roofing form above the extension will seamlessly adjoin with the hipped roof above the garage structure, working to create a congruous appearance between the two structures to the rear of the property.

The minor alterations proposed to the garage structure, in conjunction with the internal modifications, are considered to be acceptable from a visual amenity perspective. The additional fenestration details proposed, with the window to the rear to match existing openings to the host dwelling and the two roof lights considered to be acceptable modern interventions. The new insulated render finish to the side elevation of the garage, provided this is of a suitable colour to harmonise with the stone work of the main dwelling, would have a negligible impact on visual amenity as this would appear to replace vertical timber boarding; although a note on the plans states there is stone to this side elevation.

In turn, it can be concluded that the extension and alterations will not be an obtrusive addition to the host dwelling and that the proposed developments will sympathetically complement the existing architectural style of the dwellinghouse.

In addition, although both the developments will be visible from the surrounding highways and wider streetscene, given the in-keeping design of

development, the extension and garage modifications are both concluded to be acceptable and in keeping with the character of the wider locality.

For all the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the NPPF, Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the Council's House Extensions and Alterations SPD and Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan.

2) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *"...maintain appropriate distances between buildings"* and *"...minimise impact on residential amenity of future and neighbouring occupiers."*

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

In accordance with Key Design Principle 7 of the SPD, an appropriate extent of outdoor amenity space will be retained on site.

It is considered that the property most likely to be affected by the proposed developments is that which directly neighbours the site, this being No. 2A Bayfield Close, which adjoins the application site to the east.

Given that the proposed alterations to the garage are predominantly internal, with proposed alterations to fenestration and the side elevation only, it is concluded that this development poses no increased detriment of undue overbearing or overshadowing for the neighbouring occupiers at No. 2A Bayfield Close. In addition, the new openings will not overlook this neighbouring property, with only roof lights and one rear window proposed, concluding appropriate levels of residential privacy to be retained.

The rear extension is to replace the existing conservatory at 2 Bayfield Close. Although the rear extension will have solid walls, it is not considered that it poses increased detriment of overbearing or overshadowing for the occupiers of 2A Bayfield Close. This is predominantly a result of the retained single storey height of the extension and a retained separation distance of between 2.5 metres and 1.2 metres from the shared boundary. It should also be noted that the proposed rear extension to 2 Bayfield Close appropriately complies with the 45-degree rule as set out under Key Design Principle 5 of the House Extensions and Alterations SPD.

Given that the existing conservatory has a glazed eastern side elevation, the proposed window opening to the eastern side of the extension is not considered to create increased detriment of overlooking. In turn, the extension is considered to retain appropriate levels of residential privacy when considered against the existing relationship of No.'s 2 and 2A Bayfield Close.

It should also be acknowledged that boundary treatment is erected along the shared boundary between No. 2 and 2A Bayfield Close, in the form of tall wooden fencing. This boundary treatment will further work to mitigate any potential impacts from development.

It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

The existing outdoor amenity space available to the property will not diminish as a result of the development proposed and thus residents would have a sufficient space to provide a good standard of amenity, in accordance with Principle 7 of the SPD.

For these reasons, the proposed developments at 2 Bayfield Close are not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan, Key Design Principles 3, 4, 5, 6 and 7 of the Council's House Extensions and Alterations SPD and Policy 2 of the Holme Valley Neighbourhood Development Plan.

3) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

As part of the determination of this application, both formal and informal consultations have taken place with KC Highways Development Management. Following the submission of existing and proposed layout drawings to demonstrate parking provisions on site, KC Highways Development Management concluded the scheme to be acceptable from a highway's safety perspective, with two parking spaces retained to the front of the property. The 'garage' space remaining on site would not be suitable to accommodate a modern car but this space would provide a good level of storage in association with the property. The existing garage on site is in any case not of a suitable width to accommodate a car in its present form. The two parking spaces shown on plan, and within the red line application site boundary, would project into the shared access space for a number of dwellings within

Bayfield Close. As observed it appears this area is used for both formal and informal parking as well as access. The parking spaces would not hinder access to other properties and would not impact on facilities for the storage of wastes.

In turn, erecting the proposed developments at 2 Bayfield Close would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principles 15 and 16 of the House Extension SPD.

4) Other Matters

Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF, Policy LP51 of the Kirklees Local Plan and Policy 12 of the Holme Valley Neighbourhood Development Plan.

5) Representations

No representations were received.

The objections of Holme Valley Parish Council have been taken into account in the assessment of this application. As set out in section 4, there is considered to be sufficient parking to meet the needs of future occupiers without hindrance to surrounding residents.

6) Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations.

It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation – Delegated Powers

Application Number: 2022/93128

Officer Recommendation: Approve

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24 & LP51 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 15 and 16 of the Council's adopted House Extensions and Alterations SPD, Policies 1, 2 and 12 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 4, 12, 14 and 15 of the National Planning Policy Framework.

2. The external walls and roofing materials of the rear extension hereby approved shall in all respects match those used in the construction of the existing building and be thereafter retained.
Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD, Policies 1 & 2 of the Holme Valley Neighbourhood Plan and policies within Chapter 12 of the National Planning Policy Framework.

3. The insulated acrylic render proposed to the side wall of the garage shall be finished in a 'stone' colour to harmonise with the natural stone facings to the walls of the existing dwelling before the garage is first brought into habitable use. The rendered finish shall thereafter be retained in a stone colour to harmonise with the natural stone facings of the existing dwelling.
Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD, Policies 1 & 2 of the Holme Valley Neighbourhood Plan and policies within Chapter 12 of the National Planning Policy Framework.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
Existing Plans, Sections and Elevations	201	A	21.9.22
Proposed Elevations Sheet 1	310	-	21.9.22
Proposed Sections	410	-	21.9.22
Dunford Road Elevation	311	-	21.9.22

First Floor Plan Showing Proposed Roof Plan	211	-	21.9.22
Location Plan	100	B	29.9.22
Existing Site Plan	101	-	7.11.22
Proposed Site Plan	102	-	7.11.22
Proposed Ground Floor Plan	210	C	7.11.22

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Following a formal consultation with KC Highways Development Management, the case officer sought the submission of an existing and proposed layout plan. The applicant successfully submitted the requested drawings.

Report Dated:

23.11.22